

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., et al.,)	CASE NO. 2:10-cv-106-LRH-PAL
)	
Plaintiff(s),)	MINUTES OF COURT
)	
vs.)	DATE: Friday, September 18, 2015
)	
RIMINI STREET, INC., et al.,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete Reporter: Donna Davidson
Counsel for Plaintiff: William Isaacson, Esq., Karen L. Dunn, Esq., Kieran P. Ringgenberg, Esq., Thomas S. Hixson, Esq., James C. Maroulis, Esq., Richard J. Pocker, Esq., Nitin Jadal, Esq., John Polito, Esq., Dorian Daley, Esq..
Counsel for Defendant: B. Trent Webb, Esq., West Allen, Esq., Robert H. Reckers, Esq., Peter E. Strand, Esq.

MINUTES OF JURY TRIAL DAY 5

8:08 a.m. Court convenes outside the presence of the jury. The Court addresses Defendants Motion for Reconsideration of Certain Evidence Rulings, [#793]. Mr. Isaacson presents argument in support of plaintiff's objections to the motion. Mr. Webb responds and presents further argument in support of defendant's motion. The Court sustains his ruling regarding TomorrowNow and places his findings on the record. The Court makes further rulings as to the remaining issues as follows:

IT IS ORDERED that the attorney letters discussed will not be admitted as they are hearsay.

IT IS FURTHER ORDERED regarding the timing issue. The Court's instructions will verify that this case does not go past 2011. The Court places further findings on the record and sustains his previous rulings from September 17, 2015.

The Court grants leave for counsel to file further points and authorities.

8:29 a.m. The jury enters the courtroom.

Seth Rimini resumes the witness stand and continues testimony on cross examination by Mr. Webb.

Oracle v. Rimini.
2:10-cv-106-LRH-PAL
Jury Trial Day 5
September 18, 2015
Page 2 of 3

PTX63 is pre-admitted and published to the jury.
DTX407 is pre-admitted and published to the jury.
DTX400 is pre-admitted and published to the jury.

Re-direct examination by Mr. Isaacson.

PTX1432 is pre-admitted and published to the jury.
PTX1460 is pre-admitted and published to the jury.
PTX33 is pre-admitted and published to the jury.
PTX1599 is pre-admitted and published to the jury.
PTX5356 is offered; no objection; PTX5356 is admitted.
PTX605 is pre-admitted and published to the jury.

Excerpts of Seth Ravin's video deposition dated July 21, 2010, are played in open court.

9:46 a.m. the jury is admonished and excused.

Court remains in session outside the presence of the jury Mr. Webb renews his continuing objection regarding the TomorrowNow issues previously ruled upon.

IT IS ORDERED that defense counsel may raise his continuing objection regarding the TomorrowNow issues as so noted for the record.

9:48 a.m. Court stands at recess.

10:07 a.m. Court reconvenes. The jury, counsel, and parties are present.

Seth Ravin resumes the witness stand and continues testimony on re-direct examination by Mr. Isaacson.

PTX618 is offered; no objection; PTX618 is admitted.

Excerpts of Seth Ravin's video deposition of November 17, 2011, are played in open court.

Re-cross examination by Mr. Webb. The witness is excused.

Oracle v. Rimini.
2:10-cv-106-LRH-PAL
Jury Trial Day 5
September 18, 2015
Page 3 of 4

Richard Allison is called on behalf of the plaintiff is sworn and testifies on direct examination by Mr. Hixson.

PTX5328 is offered; no objection; PTX5328 is admitted.
PTX698 is offered; no objection; PTX698 is admitted.
PTX699 is offered; no objection; PTX699 is admitted.
PTX2088 is offered; no objection; PTX2088 is admitted.
PTX705 is offered; no objection; PTX705 is admitted.
PTX704 is offered; no objection; PTX704 is admitted.
PTX5466 is offered; no objection; PTX5466 is admitted.
PTX19 is pre-admitted and published to the jury.
PTX649 is offered; no objection; PTX649 is admitted.
PTX650 is offered; no objection; PTX650 is admitted.
PTX651 is offered; no objection; PTX651 is admitted.

IT IS ORDERED that trial is continued to Monday, September 21, 2015, at 1:00 p.m. in Las Vegas Courtroom 4B.

11:35 a.m. The jury is admonished and excused.

Court remains in session outside the presence of the jury.

IT IS ORDERED that if counsel wish to file points and authorities as previously discussed, they shall be filed by Sunday, September 20, 2015, by 5 p.m.

IT IS FURTHER ORDERED that counsel shall be present on Monday, September 21, 2015, at 12:30 p.m. Any new issues to be brought to the Court on Monday shall be noticed via the Courtroom Deputy by Sunday, September 20, 2015.

Mr. Isaacson raises an issue regarding the possibility of a shadow jury in the audience. The Court admonishes counsel that all parties are to adhere to professional conduct and rules.

///

///

Oracle v. Rimini.
2:10-cv-106-LRH-PAL
Jury Trial Day 5
September 18, 2015
Page 4 of 4

11:39 a.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/ D. Negrete
Deputy Clerk